

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
CrI. Misc. Application No.S-79 of 2024
(Inayatullah Maitlo Vs. The State & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on MA No. 814/2024.
2. For Orders on office objection.
3. For Orders on MA No. 815/2024 (Ex./A)
4. For hearing of main case.

27-02-2024.

Ms. Quratul Ain Maitlo, advocate for the applicant.

1. Granted.
2. Over ruled.
3. Granted subject to all just legal exceptions.
4. There was dispute between the parties over sale and purchase of the property, which resulted in a quarrel. On the basis of such allegation the applicant by making an application u/s 22 A/B Cr.P.C sought for direction against the police to record his FIR for the said incident, it was dismissed by learned IIIrd Additional Sessions Judge/Ex-Office Justice of Peace Khairpur vide order dated 28-02-2023, which is impugned by the applicant before this Court by way of listed application u/s 561-A Cr.P.C.

It is contended by learned counsel for the applicant that cognizable offence has taken place; therefore, learned Ex-Office Justice of Peace ought not to have dismissed the application of the applicant under the deception that the FIR of the same incident has already been recorded by the police at the instance of proposed accused.

the impugned order

Heard arguments and perused the record.

Admittedly the parties are disputed over sale and purchase of the property. The nature of injuries allegedly sustained by the applicant has not been disclosed. In such situation, learned Ex-Officio Justice of Peace was right to dismiss the application of the applicant for issuance of direction against the police to record his FIR by way of impugned order, which is not found illegal to be interfered with by this Court by way of listed application CrI. Misc. Application u/s 561-A Cr.P.C, it is dismissed in limine.

JUDGE

Nasim/P.A

